

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas

United States of America

v.

Juan Manuel CARRILLO-Bastida

Defendant(s)

Case No:

EP-18-mj-2526-LJ

FILED
 APR 19 2018
 CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY EC DEPUTY

CRIMINAL COMPLAINT

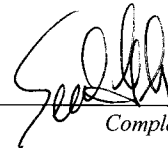
I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of April 17, 2018, in the county of El Paso in the Western District of Texas, the defendant violated 8 U.S.C. § 1326, an offense described as follows:

an alien, who had been excluded, deported and removed from the United States and who has not received the consent to reapply for admission from the Attorney General of the United States or the Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Section 202(3), 202(4), and 557, was found in the United States.

This criminal complaint is based on these facts:

On April 17, 2018, the Defendant, Juan Manuel CARRILLO-Bastida, was encountered at the intersection of Mesa Dr. and Conley Rd. in El Paso County, Texas by Deportation Officer Michael Gardea, who is assigned to the U.S. Immigration and Customs Enforcement Fugitive Operations Team in El Paso, Texas. Officer Gardea questioned the Defendant as to his citizenship and immigration status. The Defendant readily admitted he was a citizen and national of Mexico without immigration documents allowing him to be or remain in the United States. The Defendant was last removed from the United States to Mexico on January 17, 2015. There is no evidence that the Defendant received permission from the appropriate authority to reapply for admission into the United States.

☒ Continued on the attached sheet.



Complainant's signature

Ernesto Garcia, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: April 19, 2018



Judge's signature

City and state: El Paso, Texas

Leon Schydlower, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn
 At 10:54 PM
 Fed.R.Crim.P. 4.1(b)(2)(A)

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

United States of America

v.

Juan Manuel CARRILLO-Bastida

Continuation of Statement of Facts:

The encounter between Deportation Officer Gardea and the Defendant took place as a result of a traffic stop. The Defendant had been, on November 13, 2016, booked into the El Paso County Detention Facility by the El Paso Police Department for Driving While Intoxicated. However, the Defendant posted bond before immigration officials had an opportunity to interview him.

Upon encountering him during the traffic stop on April 17, 2018, the Defendant admitted to not having any documents that would permit him to be in the United States. The Defendant was taken into custody, and Officer Gardea processed the Defendant at the DHS/ICE/ERO office by enrolling him into the EAGLE/IDENT/NGI systems, with positive results indicating the Defendant has immigration and criminal histories.

The Defendant's immigration records checks revealed that, on May 28, 2009, an Immigration Judge in El Paso, Texas issued an order of Removal and his departure to Mexico was verified on the same date. On a later date, the defendant illegally reentered the U.S and was most recently removed to Mexico on January 17, 2015 through Eagle Pass, Texas.

The Defendant's criminal history reflects a conviction and sentence on April 29, 2014 for Fail to ID Fugitive False Info; his sentence was 15 days. On July 16, 2014, the Defendant was convicted of two counts of Burglary of Vehicle and sentenced concurrently to 90 days. And on November 10, 2014, the Defendant was convicted of 8 USC 1326 Re-entry of Deported Aliens; he was sentenced to 6 months imprisonment.

There is no evidence that the Defendant has received the permission of the Attorney General of the United States or the Secretary of Homeland Security to apply for admission into the United States.

On April 18, 2018, the Defendant was arrested and booked in to the El Paso County Detention Facility pending his initial appearance in United States Magistrate Court.

The government will seek to file a Motion to Detain the Defendant without bond, showing for cause that the Defendant has a prior criminal history, and is a foreign national and therefore presents a high risk of fleeing to avoid prosecution on this charge.